

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,797,524 B1
APPLICATION NO. : 09/690040
DATED : September 28, 2004
INVENTOR(S) : M. Seul

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 33, line 30, change "configurition" to -- configuration --
Col. 33, line 32, change "auached" to -- attached --
Col. 33, line 38, change "saild" to -- said -- and change "ae" to -- are --
Col. 34, line 13, change "plan" to -- planar --
Col. 34, line 14, change "electuode" to -- electrode --
Col. 34, line 21, change "tba" to -- that --

Signed and Sealed this

Eighth Day of May, 2007

A handwritten signature in black ink, appearing to read "Jon W. Dudas". The signature is stylized with a large, looped initial "J" and a distinct "D".

JON W. DUDAS
Director of the United States Patent and Trademark Office

This submission does not represent that: (i) Applicant has read or analyzed any of the documents cited herein, except as otherwise provided; (ii) a search has been conducted; (iii) that no other documents exist which may be material to the examination of this application exist; or (iv) that any of the listed documents, or any part thereof, are material or constitute prior art under title 35 of the United States Code. Applicant reserves the right to present evidence and arguments to counter an assertion that any such documents are prior art, and/or to establish the patentability of the claimed invention.

Respectfully Submitted,

BY: 

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

Applicants hereby petitions for any extension of time or for any other grounds needed to make this submission timely and proper. The Commissioner is hereby authorized to charge any fees due in connection with this submission and not otherwise covered by payment included herewith, or to credit any overpayment, to Deposit Account No. 502088.

I hereby certify that, on the date indicated below, this correspondence and all attachments indicated herein are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450

By: 

Date: 2/19/03



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/690,040

10/17/00

SEUL

LEAPS-C4

EXAMINER

PENSEE DO

ART UNIT	PAPER
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1641

27

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

VJ

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PATENT
ATTORNEY DOCKET NO.: LEAPS-C4
CUSTOMER NO: 36038

Certificate
MAY 08 2006
of Correction

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
M. Seul

Serial No. 09/690,040
Patent No. 6,797,524
Filed: 10/17/2000

)
)
) Group Art Unit: Pensee Do

)
) Examiner: 1641

For: **Light-Controlled Electrokinetic
Assembly of Particles Near Surfaces**

) I hereby certify that, on the date indicated below, this
) correspondence and all attachments indicated herein are
) being faxed to the Commissioner for Patents at (571) 273-
) 8300
) By: _____
) Date: _____

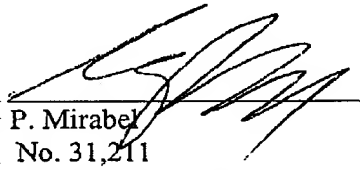
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Request for Action on Certificate of Correction

Dear Sir:

Applicant previously (10/12/2004) filed a request for a certificate of correction under 37 CFT 1.703(a)1 and (a)6, i.e., because the Office made errors in the claims – not Applicant. A copy is enclosed, along with the fax confirmation, showing receipt. Applicants now request action in this matter as soon as reasonably possible.

Respectfully Submitted,

By: 
Eric P. Mirabel
Reg No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

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PATENT
ATTORNEY DOCKET NO.: LEAPS-C4
CUSTOMER NO: 36038

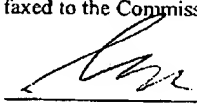
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
M. Seul

Serial No. 09/690,040
Patent No. 6,797,524
Application Filed: 10/17/2000
Patent Issued: 9/28/2004

For: **Light-Controlled Electrokinetic
Assembly of Particles Near Surfaces**

)
)
) Group Art Unit: Pensee Do
)
) Examiner: 1641
) I hereby certify that, on the date indicated below, this
) correspondence and all attachments indicated herein are
) being faxed to the Commissioner for Patents at (703) 872-
) 9306.

By: 
Date: 10/12/04

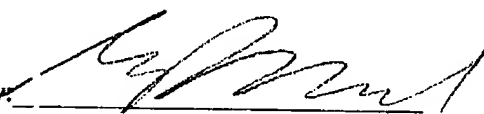
ATTN: Certificate of Correction Branch
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Request for Certificate of Correction

Dear Sir:

Pursuant to 37 CFR 1.703(a)(1) and (a)(6), Applicant requests entry of the attached certificate of correction.

Respectfully Submitted,

By: 
Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

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PTO/SB/44 (04-04)

Approved for use through 04/30/2007. OMB 0651-0033

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(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,797,524
DATED : Sept. 28, 2004
INVENTOR(S) : M. Seul

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

col. 33, line 30, change "configurition" to -- configuration --
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col. 34, line 14, change "electuode" to -- electrode --
col. 34, line 21, change "tba" to -- that --

MAILING ADDRESS OF SENDER:

PATENT NO. 6,797,524

Eric Mirabel
Bioarrays
35 Technology Drive, Suite 100

No. of additional copies



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Oct 12 11:12:28p	bioarray solutions	9082260800	P. 1
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ATTENT
ATTORNEY DOCKET NO.: LI APS-C4
CUSTOMER NO.: 90038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: M. Saul)	(Group An Unit: Pounce 1 u
Serial No. 09/600,040)	Examiner: 1641
Patent No. 6,797,524)	
Application Filed: 10/12/2003)	
Patent Issued: 9/28/2004)	
Re: Light-Controlled Electrokinetic Assembly of Particles Near Surfaces)	

I hereby certify that, on the date herein of below, this
transmission and all attachments received herein are
being filed in the Commissioner's office at (103) 912-
9306.

By: *[Signature]*
Date: 10/12/04

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Communications for Patents
PO Box 1450
Alexandria VA 22311-1450

Request for Certificate of Correction

Dear Sir:

Pursuant to 37 CFR 1.703(a)(1) and (a)(5), Applicant requests entry of the attached certificate of correction.

Respectfully Submitted,

By: *[Signature]*
Eric P. Marabel
Reg. No. 51,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

Applicant hereby certifies for any extension of time or for any other grounds needed to submit this certificate timely and proper. The Commissioner is authorized to change any fee due in connection with this submission and not otherwise covered by payment indicated hereon, or to credit any overpayment, to Patent Applicant's fee 5026-1

PAGE 2/2: RCVD AT 5/5/2006 10:05:04 AM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-1/17 * DNIS:2738300 * CSID:9082260800 * DURATION (mm-ss):01-50

6,797,524.

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PATENT
ATTORNEY DOCKET NO.: LEAPS-C4
CUSTOMER NO: 36038Certificate
MAY 08 2006
of Correction

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
M. Seul

Serial No. 09/690,040

Filed: 10/17/2000

For: **Light-Controlled Electrokinetic
Assembly of Particles Near Surfaces**)
)
) Group Art Unit: Pensee Do)
) Examiner: 1641) I hereby certify that, on the date indicated below, this
) correspondence and all attachments indicated herein are
) being faxed to the Commissioner for Patents at (571) 273
) 8300By: 

Date: 5/8/06

Attention: Certificate of Correction Branch
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Request for Expedited Issuance of a Certificate of Correction

Dear Sir:

Pursuant to MPEP 1480.01, Applicant requests expedited issuance of a certificate of correction in this matter. A form PTO/SB/44 is attached showing where, in the claims, the corrections are requested. Also enclosed is the first 3 pages, and the signature page, or an amendment submitted on 2/11/2003 in which the claims which issued and for which correction is requested were submitted. The correspondence of the claims in the Amendment with the issued claims for which correction is requested is as follows:

Amendment

Claim 43

Claim 73

Claim 75

Patent claims as issued

Claim 1

Claim 8

Claim 10

MAY 8 2006

A comparison of the claims in the amendment with those in the patent clearly shows that the errors in the claims for which correction is sought were made by the Office. Correction of these errors was previously requested (as evidenced by the attached request and fax confirmation receipt of 10/12/2004). Applicant now requests expeditious resolution of this issue.

Respectfully Submitted,

By: 

Eric P. Migabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

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PTO/SB/44 (04-04)

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UNITED STATES PATENT AND TRADEMARK OFFICE
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PATENT NO. : 6,797,524

DATED : Sept. 28, 2004

INVENTOR(S) : M. Seul

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- col. 34, line 21, change "tba" to -- that --

MAILING ADDRESS OF SENDER:

PATENT NO. 6,797,524

Eric Mirabel
Bioarrays
35 Technology Drive, Suite 100

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. 4363-4012US4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael SEUL

Group Art Unit: 1641

Serial No.: 09/690,040

Examiner: Pensee T. DO

Filed: October 17, 2000

For: LIGHT-CONTROLLED ELECTROKINETIC ASSEMBLY OF PARTICLES NEAR SURFACES

Amendment under 37 C.F.R. §1.111

Commissioner for Patents
Washington, DC 20231

Sir:

This paper responds to the non-final Office Action dated October 11, 2002. A one-month petition for an extension of time accompanies this paper. No additional fees are believed to be necessary. In the event that additional fees are necessitated by this amendment under 37 C.F.R. §§ 1.16 and 1.17, the Commissioner for Patents is hereby authorized to charge Deposit Account 13-4500 Order No. 4363-4012US4.

Please AMEND the application as follows:

IN THE SPECIFICATION

On page 1, line 2, please add the following paragraph:

-- This application is a continuation of U.S. Serial No. 09/171,550, filed October 26, 1998, now U.S. Patent No. 6,251,691, which is a 35 U.S.C. §371 application of PCT International Application No. PCT/US97/08159, filed April 24, 1997, which in turn claims benefit of U.S. Provisional Application Serial No. 60/016,642, filed April 25, 1996. --

749665 v1

MAY 8 2006

On page 10, line 30, please replace the paragraph contained therein with the following:

-- Figs. 9a to 9c are illustrations of two mechanisms of particle sorting --

IN THE DRAWINGS

Please replace Sheets 4/13 and 5/13 with substitute sheets 4/13 and 5/13, enclosed herewith.

IN THE CLAIMS

Please **CANCEL** claims 54, 55, and 57-69 without prejudice.

Please **AMEND** the following claim:

43. (amended) A planar array of beads in a spatially non-random configuration, said array comprising a plurality of different bead types, wherein each of said bead types has a different biomolecule attached thereto capable of forming a complex with an analyte, and wherein said bead types are encoded with a chemical or physical characteristic that uniquely identifies the biomolecule of said bead type, and wherein said array of beads is configured such that when said array of beads is contacted with liquid comprising an analyte, the beads of said array are in a continuous liquid phase.

Please **ADD** the following claims:

- 70. (new) The planar array of beads according to claim 43, wherein the beads of each type are encoded with a physical characteristic that uniquely identifies the biomolecules attached to said bead type.
71. (new) The planar array of beads according to claim 43, wherein said planar array of beads is permanently anchored to a substrate.

749665 v1

MAY 8 2006

72. (new) The planar array of beads according to claim 71, wherein said array of beads is anchored by chemical means.
73. (new) The planar array of beads according to claim 48, wherein said planar array of beads is permanently anchored to said electrode.
74. (new) The planar array of beads according to claim 48, wherein the beads of each type are encoded with a physical characteristic that uniquely identifies the biomolecules attached to said bead type.
75. (new) The planar array of beads according to claim 48, wherein beads of each said bead type are encoded with a chemical label that uniquely identifies the biomolecules attached to said bead type.- -

REMARKS

A. Status of Pending Claims and Explanation of Amendments

Claims 43-69 were pending in the application, with claims 57-69 corresponding to non-elected claims. By this Amendment, claims 54 and 55, as well as the non-elected claims, have been canceled. Cancellation of these claims is without prejudice to file and prosecute to allowance claims relating to the cancelled subject matter in a continuation application. In addition, claim 43 has been amended to present the claim in a better form, without changing the scope of the invention. A marked-up version of the amended claim 43 is provided by the Appendix. Support for the amendment may be found in Example V of the specification (page 26-30) which teaches the preparation of heterogeneous panels of particles. Support is also found

749665 v1

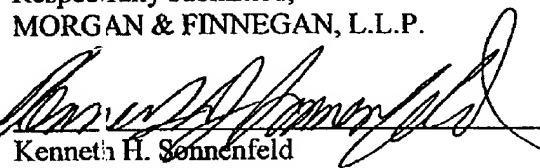
44 8 2005

In view of the amendments set forth herein and above remarks, Applicant respectfully maintains that the pending claims are allowable and solicit the issuance of a notice to such effect. If a telephone interview is deemed to be helpful to expedite the prosecution of the subject application, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number provided.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: February 11, 2003

By:


Kenneth H. Sonnenfeld
Registration No. 33,285

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

749665 v1

MAY 8 2006

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PATENT
ATTORNEY DOCKET NO.: LEAPS-C4
CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
M. Seul

Serial No. 09/690,040
Patent No. 6,797,524
Application Filed: 10/17/2000
Patent Issued: 9/28/2004

For: **Light-Controlled Electrokinetic
Assembly of Particles Near Surfaces**

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) Group Art Unit: Pensee Do
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) Examiner: 1641
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By: 

Date: 10/12/04

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Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Request for Certificate of Correction

Dear Sir:

Pursuant to 37 CFR 1.703(a)(1) and (a)(6), Applicant requests entry of the attached certificate of correction.

Respectfully Submitted,

By: 

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(903) 226 8200 (ext 203)

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MAY 9 2006

Auto-Reply Facsimile Transmission



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Oct 12 04 12:28p bioarray solutions 9082260800 p.1

By: TRINT
 ATTORNEY DOCKET NO.: LE-98-C4
 CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
 M. Seal
 Serial No. 09/690,040
 Patent No. 6,797,524
 Application Filed: 10/17/2003
 Patent Issued: 9/28/2004
 For: Light-Controlled Electrokinetic
 Assembly of Particles Near Surfaces

Group Art Unit: Penase 1x
 Examiner: 1041

I hereby certify that on the date indicated below, this communication and all attachments have been received by the Commissioner for Patents (37 CFR 1.703).

By: [Signature]
 Date: 10/12/04

ATTN: Certificate of Correction Branch
 Communications for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

Request for Certificate of Correction

Dear Sir:

Pursuant to 37 CFR 1.703(n)(1) and (n)(6), Applicant requests entry of the attached certificate of correction.

Respectfully Submitted,

By: [Signature]
 Eric P. Mirmel
 Reg. No. 31,211
 Bioarray Solutions, Ltd.
 35 Technology Drive
 Warren NJ 07059
 (908) 226 8200 (ext 203)

I certify that the foregoing is a true and correct copy of the communication as received by the Commissioner for Patents.

PAGE 12 * RCVD AT 5/5/2006 11:03:25 AM [Eastern Daylight Time] * SVR:USPTO-EFAXP-1/20 * DNS:2738300 * CSID:9082260800 * DURATION (mm:ss):03-16